

UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA)

v.)

GONZALEZ MURILLO, CRISTAL)

) Case No. 8:24-MJ-406 (MJK)

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Defendants.)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date(s) of September 1, 2024, in the county of Clinton in the Northern District of New York the defendant violated:

Code Section

8 U.S.C. § 1325(a)(2)

Offense Description

The defendant, an alien and citizen of Mexico, unlawfully eluded examination and inspection by Immigration officials by entering the United States at a place not authorized for the entrance of immigrants.

This criminal complaint is based on these facts:

Continued on the attached sheet.

9/2/2024 3:00 PM

D. Matthews

Complainant's signature

U.S. Border Patrol Agent Dustin M. Matthews

Printed name and title

Attested to by the Affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: 9/3/2024

Mitchell J. Katz

Judge's signature

City and State: Syracuse, New York

Hon. Mitchell J. Katz, U.S. Magistrate Judge

Printed name and title

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This criminal complaint is based on the following facts:

On July 15, 2024, Swanton Sector Intelligence Unit (SIU) identified a black Honda CRV, bearing New York registration LDN2051, that had been detected within the Burke Border Patrol Station's area of responsibility on multiple occasions, in a manner consistent with known smuggling techniques. SIU identified the registered owner of the vehicle as Y.G.V. Y.G.V. was also identified as being illegally present in the United States.

On September 1, 2024, at approximately 12:25 PM, Border Patrol Agents assigned to the Burke Border Patrol Station observed the previously identified black Honda CRV, bearing New York license plate LDN 2051, travelling southbound at a high rate of speed on Lost Nation Road in Churubusco, New York. Agents pulled behind the vehicle and immediately recognized it from the information given by SIU. Lost Nation Road is an area notoriously used by alien smuggling organizations for smuggling illegal aliens that cross into the United States from Canada. The vehicle had extremely dark tint and agents could not see in either the front or back windows. Based on the agent's experience, the window tint appeared to be illegal in the State of New York.

Based on the several suspicious factors such as the high rate of speed at which the CRV was travelling, the dark tint on windows commonly used by smugglers to conceal occupants in the vehicle, and the vehicle being a match to recent information provided by SIU, agents activated their emergency lights and sirens and executed a vehicle stop in front of Dick's Country Store in Churubusco, New York.

Agents approached the vehicle and identified themselves as United States Border Patrol Agents in both the English and Spanish language. Agents asked the driver of the Honda CRV, identified with initials Y.G.V., to state his citizenship to which he refused to answer. Agents asked multiple times in both the English and Spanish languages if he was in the country illegally and he claimed not to understand the question. Agents asked Y.G.V. to turn off the engine and began to interview the front seat passenger.

The front seat passenger, later identified as Cristal GONZALEZ Murillo, claimed to be a Mexican national and freely admitted that she entered the United States illegally about an hour prior. At this time, both subjects were detained and transported to the Burke Border Patrol Station for further interviews and processing. Once at the station, Y.G.V. admitted to being a citizen of the Dominican Republic and stated he was illegally present in the United States.

At the Burke Border Patrol Station, biographical information and fingerprints were entered into Department of Homeland Security databases for all four subjects. Record checks confirmed information that was previously gathered.

Nationals and Citizens of Mexico are required to apply for a visa if they seek to enter the United States. Mexican citizens who are issued a visa by the United States government are required to present the visa and the person's passport to an immigration official at a Port of Entry as he or she seeks admission into the United States. GONZALEZ Murillo does not possess valid visa and records show that she has not applied for one. If GONZALEZ Murillo had presented herself to a Port of Entry and asked permission to enter the United States, she would have been denied admission as she does not possess valid United States visa.

At the Burke Border Patrol Station, GONZALEZ Murillo was read her *Miranda* right and agreed to speak with agents without an attorney present. GONZALEZ Murillo stated that she paid \$3,400.00 to cross into the United States. GONZALEZ Murillo said that someone guided her across the border through the woods. GONZALEZ Murillo said that the driver (Y.G.V.) took her phone after getting into the vehicle and she overheard him receiving

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instructions on picking up two or three more people. GONZALEZ Murillo said that they were driving around waiting to pick those people up when they were encountered by Border Patrol.